

**OCSPP Communications Plan**  
***Publication of Proposed Rule – Asbestos; Significant New Use Rule***  
 INTERNAL DELIBERATIVE DRAFT— May 30, 2018

**Summary (Includes background and topline messages)**

- EPA is proposing a significant new use rule for asbestos as defined under the Asbestos Hazard Emergency Response Act (TSCA Title II, Section 202); the “asbestiform varieties of six fiber types – chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonite-grunerite), anthophyllite, tremolite or actinolite.”
- The proposed significant new use of asbestos (including as part of an article) is manufacturing (including importing) or processing for certain uses identified by EPA as no longer ongoing. The Agency has found no information indicating that the following uses of asbestos are ongoing, and therefore, the following uses are subject to the proposed SNUR: adhesives, sealants, and roof and non-roof coatings; arc chutes; beater-add gaskets; extruded sealant tape and other tape; filler for acetylene cylinders; high-grade electrical paper; millboard; missile liner; pipeline wrap; reinforced plastics; roofing felt; separators in fuel cells and batteries; vinyl-asbestos floor tile; and any other building material (other than cement).
- A significant new use of asbestos (including as part of an article) would require submission of a significant new use notice to EPA at least 90 days prior to manufacturing (including importing) or processing asbestos in order to allow EPA time to evaluate the potential risks relevant to the intended activity and associated conditions of use.
- Manufacturing (including importing) or processing for a significant new use may not commence until EPA has reviewed the notice, made an appropriate determination on the notice, and taken such actions as are required in association with that determination.

***Background:***

The proposed significant new use of asbestos (including as part of an article) is manufacturing (including importing) or processing for certain uses identified by EPA as no longer ongoing. The Agency has found no information indicating that the following uses of asbestos are ongoing, and therefore, the following uses are subject to the proposed SNUR: adhesives, sealants, and roof and non-roof coatings; arc chutes; beater-add gaskets; extruded sealant tape and other tape; filler for acetylene cylinders; high-grade electrical paper; millboard; missile liner; pipeline wrap; reinforced plastics; roofing felt; separators in fuel cells and batteries; vinyl-asbestos floor tile; and any other building material (other than cement). Persons subject to the SNUR would be required to notify EPA at least 90 days before commencing any manufacturing (including importing) or processing of asbestos (including as part of an article) for a significant new use. The required notification initiates EPA’s evaluation of the conditions of use associated with the intended use within the applicable review period. Manufacturing (including importing) and processing (including as part of an article) for the significant new use may not commence until EPA has conducted a review of the notice, made an appropriate determination on the notice, and taken such actions as are required in association with that determination.

EPA is separately conducting a risk evaluation of asbestos under its conditions of use, pursuant to TSCA section 6(b)(4)(A). The Frank R. Lautenberg Chemical Safety for the 21st Century Act amended TSCA in June 2016. The new law includes statutory requirements related to the risk evaluations of current conditions of use for existing chemicals. Based on the 2014 update of EPA’s TSCA Work Plan for Chemical Assessments, in December of 2016, EPA designated asbestos as one of

the first 10 chemical substances subject to the Agency's initial chemical risk evaluations (81 FR 91927), as required by TSCA section 6(b)(2)(A).

In order to identify ongoing uses of asbestos in the United States to define the scope of the risk evaluation, EPA conducted extensive research, convened stakeholder meetings, and requested and considered public comment. EPA will conduct the risk evaluation for asbestos based on the conditions of use of asbestos, which have been identified through scoping and refined during problem formulation as the following: imported raw bulk chrysotile asbestos for the fabrication of diaphragms for use in chlorine and sodium hydroxide production, sheet gaskets for use in titanium dioxide chemical production, brake blocks for use in oil drilling, aftermarket automotive brakes/linings and other vehicle friction products, other gaskets and packing, cement products, and woven products. These ongoing uses and other asbestos uses not specifically identified are not considered significant new uses and would not require a new use notification submission to the Agency.

Regardless of the outcome of the risk evaluation pursuant to TSCA section 6(b)(4)(A), EPA is concerned about the potential for adverse health effects of asbestos based on established sound scientific data indicating that asbestos is a known carcinogen. Since its peak usage, the national consumption of asbestos has declined approximately 99 percent, and asbestos has not been mined or otherwise produced in the United States since 2002. EPA believes the specifically identified significant new uses of asbestos subject to the proposed rule could increase the duration and magnitude of human and environmental exposure to the substance, reverse the declining trend of national import volumes of the substance, and reintroduce exposure scenarios that have become obsolete over the past several decades. It is imperative that EPA be notified of these significant new uses of asbestos and be provided the opportunity to evaluate such proposed new use.

### Spokespeople

- OCSPP – notify interested parties, update website

### Contents

- Communications rollout plan
- Communications resources
- Communications and management contacts

### Attachments

- **Web content on:**
  - Asbestos [ [HYPERLINK "https://www.epa.gov/asbestos"](https://www.epa.gov/asbestos) ]
  - Risk Evaluation for Asbestos [ [HYPERLINK "https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluation-asbestos-0"](https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluation-asbestos-0) ]

### Communications Rollout Plan

DATE	TASK	WHO	DONE
<b>PRE-RELEASE</b>			
Week before FRN publication	Draft communications plan, list serve + web materials to OPPT/OCSPP	Alison Pierce/ Julia Ortiz, OPPT IO	
	Draft communications plan + web materials to OPA	Linda Strauss, OCSPP IO	

	Final HQ approved comms plan, list serve + web materials	OPA	

### Communications Resources

- **Desk Statement**
- **Asbestos website** - [ HYPERLINK "https://www.epa.gov/asbestos" ]

### Communications and Management Contacts

Communications Contacts	
OCSPP	HQ
<b>Linda Strauss, OCSPP IO</b> 202-564-0797, [ HYPERLINK "mailto:strauss.linda@epa.gov" ]  <b>Alison Pierce, OPPT IO</b> 202-564-2437, [ HYPERLINK "mailto:pierce.alison@epa.gov" ]  <b>Cheryl Dunton, OCSPP IO – web</b> 202-564-4893, [ HYPERLINK "mailto:Dunton.cheryl@epa.gov" ]	<b>Nancy Grantham, Office of Public Affairs</b> 202-564-6879, [ HYPERLINK "mailto:grantham.nancy@epa.gov" ]  <b>Cathy Milbourn, OPA</b> 202-564-7849, [ HYPERLINK "mailto:Milbourn.cathy@epa.gov" ]  <b>Sven-Erik Kaiser, Office of Congressional Rel.</b> 202-566-2753, [ HYPERLINK "mailto:Kaiser.sven-erik@epa.gov" ]
Management Contacts	
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### Key Audiences & Stakeholders

- Industry
- Government Agencies
- Environmental Groups
- Non-Governmental Organizations

The proposed rule will be of interest to multiple stakeholders including industry, government agencies, non-governmental organizations, academia, environmental groups, and concerned citizens who are interested in asbestos regulations and/or are concerned about human and environmental exposures to asbestos. The proposed action did not directly involve stakeholders. However, the related outreach conducted in 2016 through 2018 during stages of the risk evaluation for asbestos involved numerous meetings and consultations with the American Chemistry Council, stakeholders from the chemical manufacturing industry (including the chlor-alkali industry), the International Association of Drilling Contractors, the Motor and Equipment Manufacturers Association, federal government agencies, non-governmental organizations, environmental groups, and public citizens. The Agency also sought and received public comment on both the *Preliminary Information on Manufacturing, Processing, Distribution, Use, and Disposal: Asbestos*, released in February 2017 and the *Scope of the Risk Evaluation for Asbestos*, released in June 2017.

### Ex. 5 Deliberative Process (DP)

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National trends have shown a consistent and large decline in the use of asbestos in commerce. Based on extensive agency research of ongoing uses of asbestos and considering the availability of safer and affordable alternatives, EPA believes industry is continuing to voluntarily phase out the manufacturing (including importing) and processing of asbestos (including as part of an article).

### Ex. 5 Deliberative Process (DP)

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Based on public comments received over the past year regarding the uses of asbestos and the scope of the risk evaluation, EPA expects interest in Agency actions related to asbestos to continue.